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No. 1875

Law and Parliamentary Affairs Secretariat

Notification No. LAW 40 LGN 75

Bangalore, dated 10th July 1975.

Ordered that the Karnataka Municipalities (Postponement of Elections) Ordinance, 1975 promulgated by the Governor of Karnataka in the Twenty-sixth Year of the Republic of India, be published as Karnataka Ordinance No. 8 of 1975 in the *Karnataka Gazette* for general information.

ORDINANCE No. 8 OF 1975

THE KARNATAKA MUNICIPALITIES (POSTPONEMENT OF ELECTIONS) ORDINANCE, 1975

(Promulgated by the Governor of Karnataka in the Twenty-sixth Year of the Republic of India and first published in the Karnataka Gazette *Extraordinary on the Tenth day of July 1975).*

An Ordinance to provide for the postponement of elections of Councillors to the Municipal Councils in the State.

WHEREAS the Proclamation of Emergency issued by the President of India on 26th June, 1975 under Article 352 of the Constitution of India is in operation;

WHEREAS elections to certain Municipal Councils in the State are due to be held ;

WHEREAS it is considered not desirable that the said elections are held during the period of Emergency ;

AND WHEREAS neither House of the State Legislature is in Session and the Governor of Karnataka is satisfied that circumstances exist which render it necessary for him to take immediate action to postpone the elections to the Municipal Councils in the State ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Karnataka is pleased to promulgate the following Ordinance, namely :—

1. **Short title.**—This Ordinance may be called the Karnataka Municipalities (Postponement of Elections) Ordinance, 1975

2. **Definitions.**—In this Ordinance, unless the context otherwise requires.—

(a) ' Act ' means the Karnataka Municipalities Act, 1964 (Karnataka Act 22 of 1964) ;

(b) the expression 'Municipal Council' shall have the meaning assigned to it in the Act.

3. Postponement of Elections, etc.—Notwithstanding anything contained in the Act or in the rules made thereunder or in any judgment, decree or order of any court or other authority,—

(a) during the period this Ordinance is in operation, no general elections to or elections to fill any casual vacancy for any Municipal Council shall be held or if any such election is commenced but the poll has not taken place, the election shall not be completed;

(b) except where poll has taken place before this Ordinance the term of office (including any extended term) of the members of any Municipal Council or of the Administrator appointed under the Act, who were in office on the date of commencement of this Ordinance (and whose term or extended term will expire during the period this Ordinance is in operation) shall be deemed to be extended during the period this Ordinance is in operation and every such member or Administrator shall continue to hold office during the said period.

(2) Nothing in sub-section (1) shall preclude the supersession of any Municipal Council in accordance with the provisions of the Act.

4. Application of the Act.—Except as otherwise provided by or under this Ordinance, the Act shall in all other respects apply to the Municipal Councils.

MOHANLAL SUKHADIA

GOVERNOR OF KARNATAKA.

By Order and in the name of the Governor of Karnataka,

M. L. RAMASWAMI,

Draftsman and Ex-Officio *Joint Secretary to Government,*

Department of Law and Parliamentary Affairs.

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